

Message Text

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ORIGIN HA-05

INFO OCT-01 ARA-10 IO-13 ISO-00 VO-05 CIAE-00 FBIE-00
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ARA/ECA:JBUMPUS
HA:RCOHEN
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INS/CO:TBROBSON

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FM SECSTATE WASHDC
TO AMEMBASSY BUENOS AIRES PRIORITY
AMEMBASSY BRASILIA PRIORITY
AMCONSUL RIO DE JANEIRO PRIORITY
AMCONSUL SAO PAULO PRIORITY
AMEMBASSY LIMA PRIORITY
USMISSION GENEVA PRIORITY
AMEMBASSY GEORGETOWN PRIORITY
AMEMBASSY CARACAS PRIORITY
AMEMBASSY BOGOTA PRIORITY
AMEMBASSY LA PAZ PRIORITY
AMEMBASSY SANTIAGO PRIORITY
AMEMBASSY MONTEVIDEO PRIORITY
AMEMBASSY ASUNCION PRIORITY
AMEMBASSY QUITO PRIORITY
AMEMBASSY PARAMARIBO PRIORITY

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E.O. 11652: N/A

TAGS: SHUM, SREF, CUIS, AR

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SUBJECT: CRITERIA AND PROCEDURES FOR ADMISSION INTO THE
UNITED STATES 500 REFUGEES/DETAINEES AND THEIR DEPENDENTS
FROM LATIN AMERICA.

REF: STATE 151280

1. THIS CABLE CONTAINS (A) CRITERIA FOR THE NEW PAROLE
PROGRAM (B) PROCEDURES FOR PROCESSING REFUGEE PAROLE
CASES (C) PROCEDURES FOR PROCESSING POLITICAL DETAINEES.

(A; CRITERIA FOR REFUGEES/DETAINEES FOR ADMISSION INTO THE UNITED STATES UNDER AUTHORITY OF THE 500 PAROLE PROGRAM FOR SOUTH AMERICA

WITHIN THE NUMERICAL LIMITS SET BY THE SECRETARY OF STATE AND THE ATTORNEY GENERAL, CANDIDATES (ASTERICK) FROM SOUTH AMERICA WILL BE ACCEPTED UNDER THE FOLLOWING CRITERIA:

1) REFUGEE APPLICANTS MUST BE MANDATED BY THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES; THUS THEY MUST BE UNABLE TO RETURN TO HIS/HER HOME COUNTRY BECAUSE OF PERSECUTION OR HAVE A WELL-FOUNDED FEAR OF PERSECUTION IN

THE COUNTRY OF TEMPORARY ASYLUM;

2) MUST HAVE EXPRESSED A DESIRE TO COME TO THE UNITED STATES;

3) MUST BE ADMISSIBLE UNDER ALL PROVISIONS OF THE IMMIGRATION AND NATIONALITY ACT, APPLICABLE FOR PERSONS APPLYING FOR IMMIGRANT VISAS, EXCEPT FOR THE REQUIREMENTS SET FORTH IN SECTION 212(A)(14), (15), (20), AND (32);

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4) MUST BE OF SPECIAL INTEREST TO THE UNITED STATES OR HAVE COMPELLING HUMANITARIAN FACTORS PRESENT. SPECIAL INTEREST CASES SHALL INCLUDE BUT NOT BE LIMITED TO PERSONS WITH CLOSE FAMILY MEMBERS IN THE UNITED STATES AND PERSONS OF SPECIAL INTEREST TO U.S. ORGANIZATIONS;

5) THAT IT WILL BE IN THE PUBLIC INTEREST OF THE UNITED STATES TO ACCEPT THE APPLICANT(S);

6) THAT THE PRINCIPAL APPLICANT AND EACH ACCOMPANYING ADULT WILL HAVE SIGNED FORM G-646 ASSURING THAT S/HE NOT ENGAGED IN PERSECUTION OF ANY PERSON BECAUSE OF RACE, RELIGION OR POLITICAL OPINION; AND

7) THAT S/HE HAS NOT ENGAGED IN TERRORIST ACTIVITIES.

(ASTERICK) POLITICAL DETAINEES WILL BE ACCEPTED UNDER THE ABOVE CRITERIA 2 THROUGH 7. A POLITICAL DETAINEE IS DEFINED AS A PERSON IN ACTUAL PHYSICAL DETENTION IN HIS/HER COUNTRY OF ORIGIN FOR POLITICAL ACTIVITIES OR BELIEFS CONSIDERED ILLEGAL BY THE GOVERNMENT OF THAT COUNTRY.

(B.) PROCEDURES FOR PROCESSING REFUGEE PAROLE CASES

1) UNHCR REFERS THE CASE TO THE EMBASSY IN ACCORDANCE WITH U.S. CRITERIA. DOCUMENTATION INCLUDES:

A. CASE HISTORY FROM UNHCR FILES.

B. COMPLETED 510 FORMS.

C. OTHER DOCUMENTS AVAILABLE.

2) CLEARANCE PROCEDURES ARE INITIATED ON THE PRINCIPAL,
THE SPOUSE, CHILDREN OVER 16 AND ACCOMPANYING RELATIVES
AS APPROPRIATE. CLEARANCES INCLUDE:
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A. INSIDE THE EMBASSY WITH POL, POL/R, DEA, DAO, AND SY

B. OTHER EMBASSIES THROUGH VISAS ALPHA PROCEDURES AS
APPROPRIATE FOR FULL CLEARANCE. TELEGRAM SHOULD CLEARLY
IDENTIFY SUBJECT AS REFUGEE APPLICANT

C. CLEARANCE WITH POLICE AND SECURITY AUTHORITIES OF
THE COUNTRY OF TEMPORARY ASYLUM (MIN. OF INTERIOR,
NATIONAL POLICE, ETC. AS APPROPRIATE).

D. VISAS EAGLE PROCEDURES TO THE DEPARTMENT (ADDRESSEES
MUST INCLUDE DEA AND FBI).

3) THE CONSULAR OFFICER REVIEWS THE CASE, INCLUDING
DOCUMENTATION, AFTER CLEARANCES ARE RECEIVED. THE REFUGEE
IS CALLED IN FOR AN INTERVIEW AT THIS TIME. IF THE CASE
IS NOT APPROVABLE UNDER THE APPROPRIATE SECTION OF THE
IMMIGRATION AND NATIONALITY ACT, THE UNHCR IS NOTIFIED.
IF CONDITIONALLY APPROVED, THE APPLICANT IS GIVEN A LIST
OF REQUIRED DOCUMENTS WITH CERTIFICATES, ETC. UNHCR AND
VOLUNTARY AGENCIES ASSIST WITH DOCUMENTATION.

4) THE INS OFFICER REVIEWS THE CASE AND MAY ALSO REQUIRE
AN IN DEPTH INTERVIEW WITH THE REFUGEE. IF HE CONCURS
WITH THE CONSULAR OFFICER'S RECOMMENDATION, THE CASE WILL
BE APPROVED. AT THE APPROPRIATE TIME THE CONSULAR OFFICER
OR INS OFFICER WILL INTERVIEW THE SPOUSE AND ACCOMPANYING
ADULT FAMILY MEMBERS.

5) IF THERE IS A DIFFERENCE OF OPINION BETWEEN THE
CONSULAR OFFICER AND THE INS OFFICER, THE CASE FILE SHALL
BE REFERRED TO THE DEPARTMENT (HA) FOR CONSULTATION WITH
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THE DIRECTOR OF INS' OFFICE OF REFUGEE AND PAROLE. THE
RESULTING DECISION WILL BE CONVEYED TO THE POST WITH THE

RETURN OF THE FILE.

6) THE EMBASSY NOTIFIES UNHCR OF DECISION SO THAT THE REFUGEE MAY BE INFORMED. IF THE DECISION IS POSITIVE, A DATE WILL BE FIXED FOR FINAL PROCESSING. AT THIS POINT, A U.S. RESETTLEMENT AGENCY ACCEPTS THE CASE AND PROVIDES A WRITTEN ASSURANCE OF SPONSORSHIP STATING THAT THE REFUGEE WILL NOT BECOME A PUBLIC CHARGE.

7) THE PRINCIPAL APPLICANT AND THE ENTIRE FAMILY GROUP ARE PROCESSED INCLUDING FINGERPRINTING, MEDICAL EXAMINATION, OPENING OF "A" FILE(S), AND ISSUANCE OF THE I-94 PAROLE DOCUMENT AND THE LETTER OF ACCEPTANCE PREPARED BY THE CONSULATE.

8) THE REFUGEE TAKES THE ORIGINAL AND ONE COPY OF THE LETTER OF ACCEPTANCE TO ICEM.

A. ICEM AND VOLUNTARY AGENCIES ASSIST THE REFUGEE IN OBTAINING EXIT DOCUMENTATION FROM THE HOST COUNTRY AUTHORITIES.

B. ICEM SCHEDULES TRANSPORTATION AND SENDS A TELEX TO ICEM GENEVA, ICEM USA WITH TRAVEL PLANS.

C. ICEM INFORMS THE EMBASSY OF REFUGEE'S TRAVEL PLANS. EMBASSY THEN CABLES THIS INFORMATION TO THE DEPARTMENT (HA) WITH INFO TO GENEVA AND AMEMBASSY OF COUNTRY OF ORIGIN OF THE REFUGEE, AND TO INS PORT-OF-ENTRY.

D. ICEM IN THE USA NOTIFIES THE VOLUNTARY AGENCY AND ARRANGES FOR THE REFUGEE TO BE MET. THE SPONSOR THEN ASSISTS THE REFUGEE WITH HIS RESETTLEMENT IN THE USA.

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E. THE RELATING "A" FILE(S) FOR EACH FAMILY GROUP SHALL BE SEALED IN AN ENVELOPE AND GIVEN TO THE PRINCIPAL APPLICANT TO CARRY TO THE PORT-OF-ENTRY. INS AT THE PORT-OF-ENTRY SHALL PICK UP THE "A" FILE(S) AND FORWARD THEM TO THE APPROPRIATE FILES CONTROL OFFICE.

(C.) PROCEDURES FOR PROCESSING POLITICAL DETAINEES
,) ICEM (ASTRICK) REFERS THE CASE TO EMBASSY IN ACCORDANCE WITH U.S. CRITERIA. DOCUMENTATION INCLUDES.

A. CASE HISTORY FROM ICEM FILES

B. COMPLETED 510 FORMS

C. OTHER DOCUMENTS AVAILABLE

D. COPY OF AUTHORIZATION TO ACT ON BEHALF OF DETAINEE

2) CLEARANCE PROCEDURES ARE INITIATED ON THE PRINCIPAL, THE SPOUSE, CHILDREN OVER 16 AND ACCOMPANYING RELATIVES AS APPROPRIATE. CLEARANCES (SIMULTANEOUS) INCLUDE:

A. INSIDE THE EMBASSY WITH POL, POL/R, DEA, DAO AND SY

B. CLEARANCE WITH ARGENTINE POLICE AND SECURITY AUTHORITIES (MINISTRY OF INTERIOR, NATIONAL POLICE, AND FOREIGN MINISTRY)

C. OTHER EMBASSIES THROUGH VISA ALPHA PROCEDURES AS APPROPRIATE FOR FULL CLEARANCE

D. VISA EAGLE PROCEDURES TO THE DEPARTMENT (ADDRESSEES MUST INCLUDE DEA AND FBI)
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3) THE CONSULAR OFFICER REVIEWS THE CASE, INCLUDING DOCUMENTATION, AFTER CLEARANCES ARE RECEIVED. IF THE SECURITY CHECKS ARE NEGATIVE AND IF RIGHT OF OPTION CERTIFICATE IS REQUIRED BY ARGENTINE AUTHORITIES IN ORDER TO CONDUCT THE INTERVIEW, EMBASSY MAY ISSUE TO THE AUTHORIZED REPRESENTATIVE OF THE APPLICANT THE CERTIFICATE FOR CONDITIONAL ACCEPTANCE. IF POSSIBLE THE INTERVIEW WILL TAKE PLACE BEFORE ISSUANCE OF THE CERTIFICATE. THE DETAINEE SHALL BE INTERVIEWED AND FINGERPRINTED AT THIS TIME. IF THE CASE IS NOT APPROVABLE UNDER THE APPROPRIATE SECTION OF THE IMMIGRATION AND NATIONALITY ACT, ICEM IS NOTIFIED. IF CONDITIONALLY APPROVED, ICEM OR AUTHORIZED REPRESENTATIVE OF THE APPLICANT IS GIVEN A LIST OF REQUIRED DOCUMENTS WITH CERTIFICATES, ETC. ICEM AND VOLUNTARY AGENCIES ASSIST WITH DOCUMENTATION.

4) THE INS OFFICER REVIEWS THE CASE AND MAY ALSO REQUIRE AN IN-DEPTH INTERVIEW WITH THE DETAINEE. IF HE CONCURS WITH THE CONSULAR OFFICER'S RECOMMENDATION, THE CASE WILL BE APPROVED. AT THE APPROPRIATE TIME THE CONSULAR OFFICE OR INS OFFICER WILL INTERVIEW THE SPOUSE AND ACCOMPANYING ADULT FAMILY MEMBERS.

5) IF THERE IS A DIFFERENCE OF OPINION BETWEEN THE CONSULAR OFFICER AND THE INS OFFICER, THE CASE FILE SHALL BE REFERRED TO THE DEPARTMENT (HA) FOR CONSULTATION WITH THE DIRECTOR OF INS' OFFICER OF REFUGEE AND PAROLE. THE RESULTING DECISION WILL BE CONVEYED TO THE POST WITH THE RETURN OF THE FILE.

6) EMBASSY NOTIFIES ICEM OF DECISION SO THAT THE DETAINEE

OR HIS REPRESENTATIVES MAY BE INFORMED. AT THIS POINT A
U.S. RESETTLEMENT AGENCY ACCEPTS THE CASE AND PROVIDES A
WRITTEN ASSURANCE OF SPONSORSHIP STATING THAT THE DETAINEE
WILL NOT BECOME A PUBLIC CHARGE.

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7) THE DETAINEE'S FAMILY GROUP IS PROCESSED INCLUDING
FINGERPRINTING, MEDICAL EXAMINATION, OPENING OF "A" FILES
(INCLUDING DETAINEE), ISSUANCE OF THE I-94 PAROLE
DOCUMENT AND THE LETTER OF ACCEPTANCE PREPARED BY THE
EMBASSY. EVERY EFFORT SHALL BE MADE TO COMPLETE DETAINEE'S
MEDICAL EXAMINATION.

8) THE DETAINEE'S REPRESENTATIVE TAKES THE ORIGINAL AND
ONE COPY OF THE LETTER OF ACCEPTANCE TO ICEM.

A. ICEM AND VOLUNTARY AGENCIES ASSIST THE DETAINEE IN
OBTAINING EXIT DOCUMENTATION FROM THE ARGENTINE
AUTHORITIES.

B. ICEM SCHEDULES TRANSPORTATION AND SENDS A TELEX TO
ICEM GENEVA AND ICEM USA WITH TRAVEL PLANS.

C. ICEM INFORMS THE EMBASSY OF DETAINEE'S TRAVEL PLANS.
EMBASSY THEN CABLES THIS INFORMATION TO THE DEPARTMENT
(HA) WITH INFO GENEVA AND TO INS PORT-OF-ENTRY.

D. ICEM IN THE USA NOTIFIES THE VOLUNTARY AGENCY AND
ARRANGES FOR THE DETAINEE AND FAMILY TO BE MET. THE
SPONSOR THEN ASSISTS THE DETAINEE AND FAMILY WITH HIS
RESETTLEMENT IN THE USA.

9) ICEM OFFICIAL SHALL ESCORT DETAINEE AND FAMILY MEMBERS
TO AIRPORT IF PERMITTED. IF NOT PERMITTED TO ESCORT, AN
ICEM OFFICIAL SHALL MEET DETAINEE AT THE AIRPORT AND
DELIVER TO DETAINEE THE RELATING "A" FILES IN A SEALED
ENVELOPE FOR PRESENTATION TO AN INS OFFICIAL AT A US
PORT-OF-ENTRY. IN ANY EVENT, AN ICEM OFFICIAL SHALL
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ACCOMPANY THE FAMILY MEMBERS TO THE AIRPORT.

10) AT THE PORT-OF-ENTRY AN INS OFFICIAL SHALL PICK UP
THE "A" FILE(S) AND FORWARD THEM TO THE APPROPRIATE FILES
CONTROL OFFICE. IF THE DETAINEE HAS NOT HAD A MEDICAL
EXAMINATION, THE INS OFFICER WILL DEFER INSPECTION TO THE
FILES CONTROL OFFICE FOR APPROPRIATE MEDICAL EXAMINATION.
THE VOLUNTARY AGENCY REPRESENTATIVE AT THE PORT-OF-ENTRY

SHALL BE INFORMED OF ANY DEFERRED INSPECTION.

(ASTERICK) THE AMERICAN EMBASSY WILL ACT INDEPENDENTLY ON
FIRST NUMBER OF HIGH INTEREST CASES, TOTALLING ABOUT 25.
ALSO ICEM WILL ACCEPT CASES REFERRED BY RELATIVES, VOLUN-
TARY AGENCIES, AND INTERESTED U.S. ORGANIZATIONS. NEWSOM

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Message Attributes

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Control Number: n/a
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Draft Date: 16 jun 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
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Format: TEL
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Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t197806115/baaaeyyq.tel
Line Count: 334
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, TEXT ON MICROFILM
Message ID: 56304f7e-c288-dd11-92da-001cc4696bcc
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